

# Town of Odessa

**MINUTES FROM THE REGULAR TOWN MEETING OF MAYOR AND COUNCIL  
MONDAY, DECEMBER 4, 2023 - 7:00 PM  
OLD ACADEMY BUILDING  
315 MAIN STREET  
ODESSA, DE 19730**

Those present at 7:00 PM:

Mayor: Harvey Smith  
Council Member: Lenny Aguilar  
Council Member: John Freeman  
Council Member: Lionel Hynson  
Council Member: Yeni Ocampo  
Treasurer: David Sheats  
Secretary: Amy Marie Ottinger  
Mike Hoffman – Tarabicos, Grosso & Hoffman LLP  
2 community members

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- I. Call to Order & Pledge of Allegiance – Meeting was called to order at 7:00 PM.
- II. Roll Call
- III. Approval of Minutes
  - a. Minutes: Regular Meeting of Mayor & Council 11-6-23

**MOTION BY JOHN FREEMAN, SECONDED BY LENNY AGUILAR TO APPROVE THE MINUTES FROM THE NOVEMBER 6, 2023 MEETING OF MAYOR & COUNCIL.**

**MOTION CARRIED. VOTE 5 AYES, 0 NAYS, 0 ABSTAIN**

Mayor Smith introduced the President of the Odessa Fire Company Scott Dunkelberger and Fire Chief Dave Wilson who attended to take the time and personally thank Mayor & Council for the \$10,000.00 ARPA grant money. They stated they are grateful for the funds and look forward continuing to provide great service to the citizens of the Town of Odessa.

IV. Correspondence

- Letter received from Hudson, Jones, Jaywork & Fisher, LLC, attached hereto as Attachment A (1-page letter) notifying the town that they will be raising their legal fees effective January 1, 2024 to \$220/hr. with a slight increase each year moving forward.
- Customer notice received from National HVAC Service, attached hereto as Attachment B (1-page notice) notifying the town that as of January 1, 2024, they will be rebranded as Hawks & Company.
- Letter received from State of Delaware Department of Transportation (DelDOT), attached hereto as Attachment C (2-page letter with 1-page exhibit) notifying the town that in the Spring, a new paving project will be taking place on Evergreen Farms-Marcus Road from Middletown-Odessa Road (Rt 299) to end. Construction is anticipated for a contract time of 244 calendar days and is anticipated to start late Spring to early Fall 2024.

V. Treasurer's Report

- a. Balance Sheet / Profit & Loss as of 11-30-23, attached hereto as Attachments D & E (3-page reports)
- b. Treasurer Sheats reviewed various expenses on the report such as (2) service calls for the heater at Old Academy, the \$33,000.00 payment to Design Contracting Inc for the demolition of 405 Main Street, final payment to PHB for the Old Academy bathroom renovations and Tree Inc for the 3<sup>rd</sup> street tree removal and Osbourne street brush removal. Deposits consisted of rental income, property taxes, transfer taxes, court fees and franchise fees. The town received our 2024 Municipal Street Aid monies from the State in the amount of \$11,306.42 which was transferred from the operating account to the municipal street aid account.

**MOTION BY JOHN FREEMAN, SECONDED BY LIONEL HYNSON TO APPROVE THE TREASURERS REPORT FROM 11-30-23.**

**MOTION CARRIED. VOTE 5 AYES, 0 NAYS, 0 ABSTAIN**

VI. Commission Reports

- a. Historic – Meeting was 11-9-23 (Sydnor Front Door - 203 High Street)
- b. Planning – Meeting was 11-16-23 (Ordinance 2023-04 Rezoning 506 High Street from R1 Single Family Residential to Institutional, Comprehensive Plan, Odessa Commons)

VII. Old Business

- a. American Rescue Act Funding
  - Each of the towns four non-profits signed and returned their grant agreements. The grant checks have been signed and will be hand delivered by the end of the week.
  - The Mayor requested approval from council to use ARPA funds for the purchase of copier and pre-payment of a five-year service plan with Infinity Business Solutions, attached hereto as Attachment F (6-page contract). The contract covers all parts and supplies with a 30k black & white and 3k color yearly copy allowance.

**MOTION BY LENNY AGUILAR, SECONDED BY JOHN FREEMAN TO APPROVE THE PURCHASE OF A COPIER AND FIVE-YEAR SERVICE PLAN WITH INFINITY BUSINESS SOLUTIONS IN THE AMOUNT OF \$6,350.00 TO BE PAID FROM ARPA FUNDING.**

**MOTION CARRIED. VOTE 5 AYES, 0 NAYS, 0 ABSTAIN**

- An up-to-date accounting of ARPA expenditures from initial award to grant end date is attached hereto as Attachment G (1 page accounting).

VIII. New Business

- a. Osbourne Street Properties and 211 High Street Update – Mike Hoffman from Tarabicos, Grosso & Hoffman was in attendance to update council on the status of their Osbourne Street project. He stated that in July they had a community meeting with their most recent concept plan which proposed approximately (26) lots on a little over 11 acres. That concept plan required variances for smaller lot sizes. They still believe that that original plan is of mutual benefit to the town. They took to heart the community feedback of wanting ½ acre lots and came back with their most recent plan which has been filed and is currently pending before the town which proposes (14)

greater than ½ acre lots. This is a code compliant “check the boxes” plan which does not require rezoning or variances. They are scheduled to go before the Planning Commission on December 21, 2023 at which time they will make their presentation, obtain feedback, and then return to council for final review and approval. One other update is that 211 High Street, which has been under renovation for some time, is now complete and will be put on the market soon. An administrative subdivision approval was obtained from the town to sell this lot separately from the other assemblage of parcels.

- b. Board of Elections Appointments, attached hereto as Attachment H (1-page document)

**MOTION BY LIONEL HYNSON, SECONDED BY LENNY AGUILAR TO APPOINT DAWN BUCKWORTH, CAROL SHEATS AND LINDA SYDNOR TO THE 2024 ELECTION BOARD.**

**MOTION CARRIED. VOTE 5 AYES, 0 NAYS, 0 ABSTAIN**

- c. Holiday Office Closures – December 25<sup>th</sup>, 2023 thru January 1<sup>st</sup>, 2024 attached hereto as Attachment I (1 page notice)
- d. Cancel January meeting

**MOTION BY JOHN FREEMAN, SECONDED BY LIONEL HYNSON TO CANCEL THE JANUARY 2024 REGULAR MEETING OF MAYOR & COUNCIL.**

**MOTION CARRIED. VOTE 5 AYES, 0 NAYS, 0 ABSTAIN**

IX. Public Comment – There were no public comments

- X. Next Meeting Date and Time: Next meeting of Mayor and Council will be February 5, 2024 at 7:00 PM with a public hearing for Ordinance 2023-04: An Ordinance to Rezone 506 High Street from Single Family Residential (R-1) to Institutional (I) at 6:45 PM.

XI. Adjournment

**MOTION BY LIONEL HYNSON, SECONDED BY YENI OCAMPO TO ADJOURN THE MEETING AT 7:33 PM.**

**MOTION CARRIED. VOTE 5 AYES, 0 NAYS, 0 ABSTAIN**

Minutes Submitted: 12/14/2023  
By: Amy Marie Ottinger  
Town Secretary  
Approved: \_\_\_\_\_

c:\meetings&agenda\2023